

**DEPARTMENT OF DEFENSE****Department of the Army****32 CFR Part 552, Subpart M****Land Use Policy for Fort Lewis, Yakima Training Center, and Camp Bonneville, Washington**

**AGENCY:** Department of the Army, I Corps and Fort Lewis, DOD.

**ACTION:** Final rule.

**SUMMARY:** This action was published in the Federal Register (59 FR 34761), 7 July 1994, as an interim rule. This action establishes 32 CFR 552, Subpart M, Land Use Policy for Fort Lewis, Yakima Training Center, and Camp Bonneville as a final rule. Uninterrupted military use of training areas is vital to the maintenance of US and Allied Armed Forces combat readiness. In addition, maneuver training areas may be dangerous to persons entering without warning provided during training scheduling or use permit processing.

**DATES:** This final rule is effective February 14, 1995.

**ADDRESSES:** Headquarters, I Corps and Fort Lewis, ATTN: Range Officer, AZFH-PTM-R, Fort Lewis, Washington, 98433-5000.

**FOR FURTHER INFORMATION CONTACT:**

Ms. Virginia Lanoue or A. J. Weller, (206) 967-6165/6371.

**Executive Order 12291**

This final rule has been classified as nonmajor.

**Regulatory Flexibility Act**

This final rule has been reviewed with regard to the requirements of the Regulatory Flexibility Act of 1980. This final rule does not have a significant impact on small entities.

**Paperwork Reduction Act**

This final rule does not contain new reporting or recordkeeping requirements subject to approval by the Office of Management and Budget under the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

**List of Subjects in 32 CFR Part 552, Subpart M**

Military personnel, Government employees, Land use.

Accordingly, subpart M to 32 CFR part 552 which was added as an interim

rule at 59 FR 34761 (July 7, 1994) is adopted as final without change.

**Kenneth L. Denton,**

*Army Federal Register Liaison Officer.*

[FR Doc. 95-3268 Filed 2-13-95; 8:45 am]

BILLING CODE 3710-08-M

**32 CFR Part 553****Army National Cemeteries**

**AGENCY:** Department of the Army, DOD.

**ACTION:** Final rule.

**SUMMARY:** This action adopts as final an interim rule which was published in the **Federal Register** (59 FR 60559) 25 November 1994. In accordance with Section 1176 of the National Defense Authorization Act for Fiscal Year 1994, Pub. L. 103-160, the Department of the Army amended the regulations governing eligibility for interment in Arlington National Cemetery to include former prisoners of war (POWs).

**DATES:** This final rule is effective February 14, 1995.

**ADDRESSES:** Superintendent, Arlington National Cemetery, Arlington, Virginia 22211-5003.

**FOR FURTHER INFORMATION CONTACT:**

John C. Metzler, Jr., Superintendent, Arlington National Cemetery, (703) 695-3175.

**SUPPLEMENTARY INFORMATION:** 32 CFR Part 553 changed in accordance with Section 1176 of the National Defense Authorization Act for Fiscal Year 1994, Pub. L. 103-160. That section extended eligibility for interment in Arlington National Cemetery to any former prisoner of war who, while a prisoner of war, served honorably in the active military, naval, or air service and who dies on or after the date of enactment of the 1994 Authorization Act (November 30, 1993).

This final rule governs eligibility for interment in Arlington National Cemetery, an Army national cemetery which is under the jurisdiction of the Department of the Army. Because this final rule pertains to a military function of the Department of the Army, the provisions of Executive Order 12866 do not apply. It is hereby certified that this final rule will not have a significant impact on small business or governments in the area.

**List of Subjects in 32 CFR Part 553**

Cemeteries, National cemeteries.

For the reasons set out in the preamble, the amendments to 32 CFR Part 553 published as an interim rule on November 25, 1994, (59 FR 60559) are adopted as final with the following corrections:

**PART 553—ARMY NATIONAL CEMETERIES**

1. In § 553.15a, the section heading is corrected to read as follows:

**§ 553.15a Persons eligible for inurnment of cremated remains in Columbarium in Arlington National Cemetery.**

\* \* \* \* \*

**§ 553.15a [Amended]**

2. In paragraph (e)(2) of § 553.15a, the words "active, military, naval, or air service" are corrected to read "active military, naval, or airservice".

**Kenneth L. Denton,**

*Army Federal Register Liaison Officer.*

[FR Doc. 95-3269 Filed 2-13-95; 8:45 am]

BILLING CODE 3710-08-M

**POSTAL SERVICE****39 CFR Part 233****Notice of Seizure for Forfeiture**

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends Postal Service forfeiture regulations by changing the requirements of the notice of seizure that the Postal Inspection Service must send to each known party that may have a possessory or ownership interest in the seized property. The amended notice must describe the property seized; state the date, place, and cause for seizure; and inform the party of the intent of the Postal Inspection Service to forfeit the property. Modifying the language of the Postal Service's notice requirements will eliminate the redundancy and make Postal Service forfeiture regulations more consistent with Justice and Treasury forfeiture regulations.

**EFFECTIVE DATE:** February 14, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Frederick I. Rosenberg, Associate Counsel, Postal Inspection Service, (202) 268-5477.

**SUPPLEMENTARY INFORMATION:** The forfeiture authority and regulations of the Postal Service are published in 39 CFR 233.7. Section 233.7(h)(1) contains the requirements for the notice of seizure that the Postal Inspection Service must send to each known party that may have a possessory or ownership interest in seized property having a value of \$500,000 or less, or for monetary instruments or conveyances that were used to transport or store any controlled substance.

Included within the current requirements are provisions requiring

the notice to state the statutory basis of the seizure and a brief narration of the facts leading to the conclusion that the property seized is subject to forfeiture. These two requirements are somewhat redundant, and their language varies from the notice requirements of the seizing agencies of the Departments of Justice and Treasury. Modifying the language of the Postal Service's notice requirements will eliminate the redundancy and make Postal Service forfeiture regulations more consistent with Justice and Treasury forfeiture regulations.

**List of Subjects in 39 CFR Part 233**

Crime, Law enforcement, Postal service, Seizures and forfeitures.

Accordingly, 39 CFR part 233 is amended as set forth below.

**PART 233—INSPECTION SERVICE/INSPECTOR GENERAL AUTHORITY**

1. The authority citation for part 233 continues to read as follows:

**Authority:** 39 U.S.C. 101, 401, 402, 403, 404, 406, 410, 411, 3005(e)(1); 12 U.S.C. 3401-3422; 18 U.S.C. 981, 1956, 1957, 2254, 3061; 21 U.S.C. 881; Inspector General Act of 1978, as amended (Pub. L. No. 95-452, as amended), 5 U.S.C. App. 3.

2. Section 233.7(h)(1) is amended by revising the second sentence to read as follows:

**§ 233.7 Forfeiture authority and procedures.**

\* \* \* \* \*

(h) \* \* \*  
 (1) \* \* \* The notice must describe the property seized; state the date, place, and cause for seizure; and inform the party of the intent of the Postal Inspection Service to forfeit the property. \* \* \*

\* \* \* \* \*

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 95-3559 Filed 2-13-95; 8:45 am]

BILLING CODE 7710-12-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[FL-53-1-6740; FRL-5114-8]

**Approval and Promulgation of Implementation Plans Florida: Title V, Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA is approving revisions to the State Implementation Plan (SIP) submitted by the State of Florida through the Florida Department of Environmental Protection (FDEP) for the purpose of establishing a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM), which will be fully implemented by November 1994. This implementation plan was submitted by FDEP on February 24, 1993, to satisfy the federal mandate to ensure that small businesses have access to the technical assistance and regulatory information necessary to comply with the Clean Air Act, as amended (CAA).

**EFFECTIVE DATE:** This approval is effective March 16, 1995.

**ADDRESSES:** Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460  
 Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street NE., Atlanta, Georgia 30365  
 Air Resources Management Division, Florida Department of Environmental Protection, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joey LeVasseur, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365. The telephone number is 404/347-3555 x4215. Reference file FL053-01-5923.

**SUPPLEMENTARY INFORMATION:** Implementation of the CAA requires small businesses to comply with specific regulations in order for areas to attain and maintain the national ambient air quality standards (NAAQS) and reduce the emission of air toxics. In anticipation of the impact of these requirements on small businesses, the CAA requires that states adopt a PROGRAM, and submit this PROGRAM as a revision to the federally approved SIP. On February 24, 1993, the Florida Department of Environmental Protection submitted to EPA for approval, the

requisite revisions to the SIP establishing the PROGRAM. These revisions were adopted by the Florida Legislature by amending chapter 403 of the Florida Statute, approved on April 8, 1992. The EPA reviewed this request for revision of the federally approved SIP and found it to be in conformance with the requirements of the 1990 CAA. EPA therefore published a notice to approve the revisions without prior proposal (59 FR 8542, February 23, 1994).

In the final rulemaking, EPA advised the public the effective date of the action was deferred for 60 days (until April 25, 1994) to provide an opportunity to submit comments. EPA announced if notice was received within 30 days of the publication of the final rule that someone wanted to submit adverse or critical comments, the final action would be withdrawn and a new rulemaking would begin by proposing a 30 day comment period. EPA had earlier published a general notice explaining this special procedure (56 FR 44477, September 4, 1991). Adverse comments were received on the 59 FR 8542 notice (February 23, 1994). Accordingly, EPA withdrew the direct final rule (59 FR 21664, April 26, 1994) and simultaneously proposed approval (59 FR 21738, April 26, 1994) of the aforementioned Florida revisions to the SIP. The proposed rule formally solicited comments and one adverse comment was subsequently received.

**Comments.** The commenter, representing a trade association, indicated the proposed structure of the Florida Small Business Assistance Program (SBAP) was "fraught with risk" and "created a potential conflict of interest." The Florida Program combines the roles of the ombudsman, technical assistance and staffing for the Compliance Advisory Panel in a single office. The commenter was thus concerned that the inherent checks and balances intended by section 507 of the CAA would be compromised.

**Response.** The Agency recognizes the legitimacy of the commenter's concerns. Prior to the publication of the February 23, 1994, **Federal Register** notice, the Agency considered this particular issue in depth. The governing document is the Guidelines for Implementation of Section 507 of the 1990 Clean Air Act Amendments; and, in particular, two specific portions therein:

The State must comply with all statutory requirements of the Act, however, to the extent that the EPA is interpreting the Act requirements, these interpretations are not binding on the States \* \* \* (Preface of Guidelines); and